

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re REFCO, INC. SECURITIES  
LITIGATION

No. 07 MDL 1902 (JSR)

GEORGE L. MILLER, Chapter 7 Trustee  
for the Estate of Suffolk LLC,

No. 09 Civ. 2866 (JSR)

Plaintiff,

v.

PF SALECO LLC, et al.,

Defendants.

GEORGE L. MILLER, Chapter 7 Trustee  
For The Estate Of Suffolk LLC,

No. 09 Civ. 2919 (JSR)

Plaintiff,

v.

KINGDON ASSOCIATES, KINGDON  
PARTNERS, M. KINGDON OFFSHORE NV,  
KINGDON FAMILY PARTNERSHIP,

Defendants.

**KINGDON'S JOINDER IN THE LIMITED OBJECTION OF THE  
BANK DEFENDANTS TO THE REPORT AND RECOMMENDATION  
OF THE SPECIAL MASTER ON THE MOTION TO DISMISS  
THE AMENDED COMPLAINT**

Defendants Kingdon Associates, Kingdon Partners (which no longer exists and formally dissolved in 2006), M. Kingdon Offshore N.V. (now known as M. Kingdon Offshore Ltd.), and Kingdon Family Partnership, L.P. (collectively, "Kingdon") hereby join in the limited objection filed by Defendants Credit Suisse First Boston Next Fund, Lab Morgan Corporation, and ML IBK Positions, Inc. (the "Bank Defendants") to the

report and recommendation of the special master on the motion to dismiss the amended complaint filed in the above referenced actions (the "Limited Objection").

For the reasons stated in the Limited Objection, this Court should grant Defendant Kingdon's Motion to Dismiss the Trustee's Amended Complaint in its entirety and with prejudice on all grounds.

DATED: New York, New York  
September 7, 2010

SEWARD & KISSEL LLP

By: /s/ M. William Munno

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